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20 Philippe Ziade, Jude Nassar, Appleton  
21 Properties, LLC, Z Leb Group, LLC,  
22 Progressive Construction, Inc., Growth  
23 Development, LLC, Vibrant Realty, LLC,  
24 AJ Properties International, LLC, AJ Properties  
25 International Series 2, LLC, Growth Holdings,  
26 LLC, Growth Luxury Homes, LLC, and  
27 Growth Luxury Realty, LLC

28  
15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF NEVADA

17 Nikkei Global Inc., a California corporation,

18 Plaintiff,

19 vs.  
20  
21 **STIPULATION AND ORDER TO**  
22 **EXTEND DEADLINE FOR**  
23 **DEFENDANTS PHILIPPE ZIADE, JUDE**  
24 **NASSAR, APPLETON PROPERTIES,**  
25 **LLC, Z LEB GROUP, LLC,**  
26 **PROGRESSIVE CONSTRUCTION, INC.,**  
27 **GROWTH DEVELOPMENT, LLC,**  
28 **VIBRANT REALTY, LLC, AJ**  
15 **PROPERTIES INTERNATIONAL, LLC,**  
16 **AJ PROPERTIES INTERNATIONAL**  
17 **SERIES 2, LLC, GROWTH HOLDINGS,**  
18 **LLC, GROWTH LUXURY HOMES, LLC,**  
19 **AND GROWTH LUXURY REALTY,**  
20 **LLC'S TO FILE REPLY IN SUPPORT**  
21 **OF THEIR MOTION TO DISMISS**  
22 **FIRST AMENDED COMPLAINT [ECF**  
23 **NO. 44]**

24  
25 **(Second Request)**

1 liability company; Growth Holdings, a Nevada  
2 corporation; Growth Luxury Homes, LLC, a/k/a  
3 GLH, a Nevada limited liability company;  
4 Growth Luxury Realty, LLC, a/k/a GLR, a  
5 Nevada limited liability company; Mr. Yoshimi  
Hirooka, a resident of Japan or Singapore, doing  
business in Nevada; Mr. Yoshihiro Hirooka, a  
resident of Japan or Singapore doing business in  
Nevada; Hirooka Family Office, Ltd., a foreign  
organization doing business in Nevada,

6 Defendants.

7  
8 Plaintiff Nikkei Global Inc. (“Nikkei”), and Defendants Philippe Ziade, Jude Nassar,  
9 Appleton Properties, LLC, Z Leb Group, LLC, Progressive Construction, Inc., Growth  
10 Development, LLC, Vibrant Realty, LLC, AJ Properties International, LLC, AJ Properties  
11 International Series 2, LLC, Growth Holdings, LLC, Growth Luxury Homes, LLC, and Growth  
12 Luxury Realty, LLC (collectively, “Growth”), by and through their respective counsel, stipulate and  
13 agree as follows:

14 1. On October 18, 2018, Nikkei filed its Complaint [ECF No. 1] (the “Complaint”);  
15 2. On November 19, 2018, Growth accepted service of the Complaint.  
16 3. On January 4, 2019, Growth filed their Motion to Dismiss [ECF No. 23] and served  
17 Nikkei with the same.

18 4. On January 25, 2019, Nikkei filed a First Amended Complaint [ECF 39], which is  
19 permitted one time as a matter of course. *See Fed. R. Civ. P. 15(a)(1)(B).*

20 5. Due to the filing of the First Amended Complaint, Growth and Nikkei previously  
21 agreed, and the Court ordered, a withdrawal of the pending Motion to Dismiss because it had been  
22 mooted, in part, by Nikkei’s filing of the First Amended Complaint [ECF 40].

23 6. On March 15, 2019, Growth filed their Motion to Dismiss First Amended Complaint  
24 and served Nikkei with the same [ECF 44].

25 7. Because of scheduling conflicts and other litigation commitments, Nikkei requested  
26 that its date for response to Growth’s Motion to Dismiss First Amended Complaint be extended from  
27 March 29, 2019 through and including April 19, 2019. Counsel for Growth agreed to this extension.

28 8. On April 19, 2019, Nikkei filed its Opposition to Growth’s Motion to Dismiss First

Amended Complaint (Oral Argument Requested) [ECF 47].

9. Because of an upcoming trial for counsel of Growth, they requested that any Reply in Support of the Motion to Dismiss First Amended Complaint be filed on or before May 15, 2019. Counsel for Nikkei did not oppose this extension request, and the stipulation was granted [ECF 45].

10. Due to the scheduling issues and briefing deadlines in other matters, counsel for Growth has requested that the date for their Reply in Support of the Motion to Dismiss First Amended Complaint be extended from May 15, 2019 through and including May 20, 2019. Counsel for Nikkei has graciously agreed to this extension.

11. This is the second stipulation to extend the deadline to file a Reply in support of the Growth's Motion to Dismiss First Amended Complaint. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 13<sup>th</sup> day of May, 2019.

DATED this 13<sup>th</sup> day of May, 2019.

## DREITZER LAW

BAILEY ♦ KENNEDY

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*Attorneys for Plaintiff Nikkei Global Inc.*

Attorneys for Growth

## IT IS SO ORDERED.

James C. Mahan  
UNITED STATES DISTRICT JUDGE

May 15, 2019

DATED: \_\_\_\_\_